REMARKS

The Examiner objected to claims 1 and 4 because of informalities; rejected claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by Yang ("Protocol Compatibility Tester for CDMA Mobile Systems (CMS)," IEEE, ICPWC 1996, pages 96-101). Applicant amends claims 1 and 4. Claims 1-5 are pending in the application.

Objection to Claims 1 and 4

The Examiner objected to claims 1 and 4 because of informalities.

Regarding claim 1, line 4, the Examiner writes that the term "adapted to" should be replaced with "configured to," and points to MPEP § 2111.049 for support. Applicant is aware of MPEP § 2111.049, but Applicant sees little practical difference between the terms "adapted to" and "configured to." Furthermore, "adapted to" is clearly supported in Applicant's disclosure (e.g., page 2, lines 7-8: "software adapted especially for the existing protocol") whereas "configured to" is not. Accordingly, Applicant requests that the Examiner withdraw the rejection. For improved readability, Applicant rephrases claim 1 as follows: "the generic decoder being adapted to . . ."

Regarding claim 1, line 6 and claim 4, line 7, the Examiner writes that the term "may be" should be replaced with "are" because it does not positively recite a limitation. The claim limitation is "the generic and specific decoders being reversibly connected," while the language "so that the generic and specific decoders may be updated separately" merely describes a consequence of that limitation. (For example: "X and Y being detachably connected, so that X and Y may be detached.") To simplify the issue, Applicant amends claims 1 and 4 by removing the language "so that the generic and specific decoders may be updated separately," thus rendering the objecting moot.

No new matter has been added through these amendments.

For these reasons, Applicant requests that the objections to claims 1 and 4 be withdrawn.

Rejection of Claims 1-5 under 35 U.S.C. § 102(b)

The Examiner maintained the rejection of claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by Yang. In particular, the Examiner writes that he does not find the language of Applicant's previous remarks in the claims.

Applicant amends claims 1 and 4 by adding the limitation "the specific decoder supplementing the generic decoder in realtime." These amendments are supported in the specification at page 3, lines 16-19: ("The generic decoder is . . . supplemented by the specific decoder which is particularly suited to the protocol being analyzed at that point in time.") and page 2, line 9 ("realtime applications"). No new matter has been added through these amendments.

With regard to claims 1 and 4 as so amended, Yang does not describe "the specific decoder supplementing the generic decoder in realtime." As discussed at length in Applicant's previous response, Yang's PAST decodes protocols either exclusively within a PAST Interface Controller (PIC) or within a personal computer (which the Examiner equates with a generic and a specific decoder); one does not supplement the other, and certainly not in realtime. For this reason, claims 1 and 4 are not anticipated by Yang. Therefore, Applicant requests that the rejection of claims 1 and 4 under 35 U.S.C. § 102(b) be withdrawn.

Claims 2, 3, and 5 are allowable because they depend from claims 1 or 4, both of which are allowable as discussed above. Applicant therefore requests that the rejection of claims 2, 3, and 5 under 35 U.S.C. § 102(b) be withdrawn.

Conclusion

In view of the foregoing remarks, allowance of claims 1-5 are urged, and such action and the issuance of this case are requested. Should the Examiner maintain the rejection of these

claims, entry of these amendments is requested as clarifying the issues for appeal.

Respectfully submitted,

Wolfgang Bartsch

By:/Michael A. Nelson/

Michael A. Nelson
Reg. No. 59,450
(503) 627-1785 (Voice)
(503) 627-7119 (Fax)

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Tektronix, Inc.
P.O. Box 500
Delivery Station 50-LAW
Beaverton, OR 97077